

REMARKS

In response to the Office Action dated March 1, 2007, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-64 are pending in the present application and claims 2-4, 13, 18-24, 29, 38, 42-45, 47, 51 and 54-64 are withdrawn from further consideration. Claims 1, 5-7, 9-12, 16-18, 25-28, 30, 31, 33-38, 40, 41, 46, 49, 50 and 53 have been rejected. Claims 8, 15, 32, 39, 48 and 52 have been indicated as being allowable but for their dependence on rejected base claims, Applicants cordially thank the Examiner for indication of the same. Claims 1, 5-12, 14-17, 25-28, 30-37, 39-41, 46, 48-50, 52 and 53 remain pending for further consideration upon the entry of the present Response. No new matter has been added.

Election/Restrictions

The Examiner acknowledges Applicants' election without traverse of Species 2 corresponding to claims 1, 5-12, 14-18, 24-28, 30-37, 39-42, 26-50 (sic) and 52-54. The Examiner states that upon further consideration the listing of the claims corresponding to Species 2 are claims 1, 5-12, 14-17, 25-28, 30-37, 39-41, 46, 48-50 and 52-53. The Examiner therefore withdraws claims 2-4, 13, 18-24, 29, 38, 42-45, 47, 51 and 54-56 as being directed to non-elected Species 1 and 3. The Examiner requests the Applicants verify the elected claims and clearly identify the claims which correspond to the non-elected species.

In response, Applicants confirm election of claims 1, 5-12, 14-17, 25-28, 30-37, 39-41, 46, 48-50 and 52-53 corresponding to the election of Species 2.

Rejections under § 102

Claims 1, 5, 9, 10, 12, 14, 16, 17, 25, 34, 35, 46, 49, 50, 52 and 53 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Cho et al. (U.S. Patent No. 6,674,250, hereinafter "Cho"). The Examiner states that Cho discloses all of the elements of the

abovementioned claims, primarily in FIGS. 1-8 and 10, and column 7, line 48 through column 8, line 34. Applicants respectfully traverse.

In particular with regards to independent claims 1, 25 and 46, the Examiner alleges that Cho discloses “a second member (i.e., protective film in the inner side of the external electrode 13) disposed between the first member (i.e., external electrode 13) and the lamp body (11), the second member (i.e., protective film in the inner side of the external electrode 13) having metallic solder (i.e., magnesium oxide or calcium oxide, etc.) [See pages 3 and 4 of the Detailed Action].

First it is respectfully noted that magnesium is non-solderable. [See e.g., http://www.efdsolder.com/PDF/EFD_-_Alloy_%2B_Flux_Selection_Guide.pdf] Second, solder often comes pre-mixed with, or is used with, flux, a reducing agent designed to help remove impurities (specifically oxidised metals) from the points of contact to improve the electrical connection. [See <http://en.wikipedia.org/wiki/Solder>]. Third, it is well known to those skilled in the pertinent art that oxides are not considered metallic and that magnesium oxide and calcium oxide are both glass, not metallic. Therefore, magnesium oxide or calcium oxide as disclosed by Cho do not disclose a “metallic solder” as recited in independent claims 1, 25 and 46.

In contrast, Cho discloses that in order to increase life of the glass tube 11 and to improve the generation of secondary electrons, ferroelectrics may be applied to the inner side of the external electrode 13 and the glass tube 11. Alternatively, a separate structure coated with a dielectric may be inserted into both ends of the glass tube 11. Furthermore, in addition to ferroelectrics, magnesium oxide or calcium oxide, etc., which can serve as a protective film and enable the electron to discharge easily may be applied to the inner side of the external electrode 13 and the glass tube 11. (Col. 8, lines 24-34.) There is no disclosure in Cho that either the magnesium oxide or calcium oxide is a metallic solder or that the magnesium oxide or calcium oxide is used to increase adhesion between the glass tube 11 and the external electrode 13.

More specifically, Cho does not teach or suggest, a second member disposed between the first member and the lamp body, the second member having metallic solder and being coated on the first end portion of the lamp body by melting to provide adhesion between the first member and the lamp body, as recited in independent claim 1 and similarly claimed in independent

claims 25 and 46. Thus, claims 1, 25 and 46, including claims depending therefrom, i.e., claims 5-12, 14-17, 26-28, 30-37, 39-41, 48-50 and 52-53, define over Cho.

Accordingly, it is respectfully requested that the rejections to claims 1, 5, 9, 10, 12, 14, 16, 17, 25, 34, 35, 46, 49, 50, 52 and 53 under § 102(e) be withdrawn and allow the same to issue.

Rejections under § 103

Claims 26, 27, 36 and 37 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Cho in view of Yoo et al. (U.S. Patent No. 6,905,224, hereinafter "Yoo"). The Examiner states that Cho discloses all of the elements of the abovementioned claims except, *the first and second lamp clips for holding the first and second electrodes of the lamp, the first lamp clip being attached to the first frame, wherein the first and second frames, respectively, including upper and lower parts between which the first and second electrodes of the lamp, respectively being disposed; and a connection part connected with the upper and lower parts, the connection part having an opening through which the first electrode of the lamp is inserted*, which the Examiner further states is disclosed primarily in FIGS. 10-13 of Yoo. Applicants respectfully traverse.

First, it is respectfully submitted that claims 26, 27, 36 and 37 depend from independent claim 25, which is submitted as being allowable for defining over Cho as discussed above. Second, it is respectfully submitted that use of the alleged disclosure in FIGS 10-13 of Yoo do not cure the deficiencies noted above with respect to Cho.

Accordingly, it is respectfully requested that the rejections to claims 26, 27, 36 and 37 under § 103(a) be withdrawn and allow the same to issue.

Double Patenting

Claims 1, 5-7, 9-12, 16-18, 25-28, 30, 31, 33-38, 40, 41, 46, 49, 50 and 53 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent Application No. 10/508,587 to Kim et al. The Examiner has stated that the conflicting claims are not patentably distinct from each other because both applications disclose an image display device for displaying images using light internally provided comprising: a display panel, a light assembly, and a lamp including; a lamp

body, first and second electrodes, a first member that receives a first end portion of the lamp body, and a second member disposed between the first member and the lamp body. Applicants respectfully traverse.

Since neither the present claims nor the claims of copending Application Serial No. 10/508,587 have been patented, there is no way that double patenting can be determined (nothing is patented and there is no way to compare the final claims until one of the cases has been patented and the other claims are otherwise allowable). Hence, the Applicants respectfully request that the Examiner withdraw these provisional obviousness double patenting rejections until the claims are in final form and otherwise in condition for allowance, and the case over which double patenting is alleged is allowed. Until such time, there is no double patenting and no way to determine double patenting.

Furthermore, the Examiner is kindly reminded that pursuant to MPEP § 804(1)(B)(1) that if "provisional" nonstatutory obviousness-type double patenting ("ODP") rejections in two applications are the only rejections remaining in those applications, the Examiner should withdraw the ODP rejection in the earlier filed application thereby permitting that application to issue without need of a terminal disclaimer. A terminal disclaimer must be required in the later-filed application before the ODP rejection can be withdrawn and the application permitted to issue.

Conclusion

In view of the forgoing remarks distinguishing the prior art of record, Applicants submit that this application is in condition for allowance. Early notification to this effect is requested.

The Examiner is invited to contact Applicants' Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application in order to address any questions or remaining issues concerning the same.

If there are any charges due in connection with this response, please charge them to Deposit Account 06-1130.

Respectfully submitted,

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